



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 6671

**\*SB0088606671SD0\***

Offered by:

SEN. AYALA, 23<sup>rd</sup> Dist.

REP. SERRA, 33<sup>rd</sup> Dist.

To: Subst. Senate Bill No. 886

File No. 111

Cal. No. 138

### ***"AN ACT CONCERNING AGING IN PLACE."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 17b-105d of the general statutes is repealed and  
4 the following is substituted in lieu thereof (*Effective July 1, 2013*):

5 (a) The Department of Social Services, in conjunction with the  
6 member agencies of the Child Poverty and Prevention Council, may  
7 work with local governments, institutions of higher education,  
8 community action agencies and other entities to continue and expand  
9 efforts, within available appropriations, to enroll eligible individuals in  
10 the supplemental nutrition assistance program and to enroll eligible  
11 supplemental nutrition assistance participants in education,  
12 employment and training activities.

13 (b) The Commissioner of Social Services shall incorporate into  
14 existing efforts coordinated outreach to increase awareness and

15 utilization of the supplemental nutrition assistance program by eligible  
16 individuals, including, but not limited to, recipients of home-delivered  
17 and congregate meals and recipients of public assistance.

18 Sec. 2. Subsection (e) of section 8-23 of the general statutes is  
19 repealed and the following is substituted in lieu thereof (*Effective July*  
20 *1, 2013*):

21 (e) (1) Such plan of conservation and development shall (A) be a  
22 statement of policies, goals and standards for the physical and  
23 economic development of the municipality, (B) provide for a system of  
24 principal thoroughfares, parkways, bridges, streets, sidewalks,  
25 multipurpose trails and other public ways as appropriate, (C) be  
26 designed to promote, with the greatest efficiency and economy, the  
27 coordinated development of the municipality and the general welfare  
28 and prosperity of its people and identify areas where it is feasible and  
29 prudent (i) to have compact, transit accessible, pedestrian-oriented  
30 mixed use development patterns and land reuse, and (ii) to promote  
31 such development patterns and land reuse, (D) recommend the most  
32 desirable use of land within the municipality for residential,  
33 recreational, commercial, industrial, conservation, agricultural and  
34 other purposes and include a map showing such proposed land uses,  
35 (E) recommend the most desirable density of population in the several  
36 parts of the municipality, (F) note any inconsistencies with the  
37 following growth management principles: (i) Redevelopment and  
38 revitalization of commercial centers and areas of mixed land uses with  
39 existing or planned physical infrastructure; (ii) expansion of housing  
40 opportunities and design choices to accommodate a variety of  
41 household types and needs; (iii) concentration of development around  
42 transportation nodes and along major transportation corridors to  
43 support the viability of transportation options and land reuse; (iv)  
44 conservation and restoration of the natural environment, cultural and  
45 historical resources and existing farmlands; (v) protection of  
46 environmental assets critical to public health and safety; and (vi)  
47 integration of planning across all levels of government to address

48 issues on a local, regional and state-wide basis, (G) make provision for  
49 the development of housing opportunities, including opportunities for  
50 multifamily dwellings, consistent with soil types, terrain and  
51 infrastructure capacity, for all residents of the municipality and the  
52 planning region in which the municipality is located, as designated by  
53 the Secretary of the Office of Policy and Management under section  
54 16a-4a, (H) promote housing choice and economic diversity in  
55 housing, including housing for both low and moderate income  
56 households, and encourage the development of housing which will  
57 meet the housing needs identified in the state's consolidated plan for  
58 housing and community development prepared pursuant to section 8-  
59 37t and in the housing component and the other components of the  
60 state plan of conservation and development prepared pursuant to  
61 chapter 297, and (I) consider allowing older adults and persons with a  
62 disability the ability to live in their homes and communities whenever  
63 possible. Such plan may: (i) Permit home sharing in single-family  
64 zones between up to four adult persons of any age with a disability or  
65 who are sixty years of age or older, whether or not related, who receive  
66 supportive services in the home; (ii) allow accessory apartments for  
67 persons with a disability or persons sixty years of age or older, or their  
68 caregivers, in all residential zones, subject to municipal zoning  
69 regulations concerning design and long-term use of the principal  
70 property after it is no longer in use by such persons; and (iii) expand  
71 the definition of "family" in single-family zones to allow for accessory  
72 apartments for persons sixty years of age or older, persons with a  
73 disability or their caregivers. In preparing such plan the commission  
74 shall consider focusing development and revitalization in areas with  
75 existing or planned physical infrastructure. For purposes of this  
76 subsection, "disability" has the same meaning as provided in section  
77 46a-8.

78 (2) For any municipality that is contiguous to Long Island Sound,  
79 such plan shall be (A) consistent with the municipal coastal program  
80 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with  
81 reasonable consideration for restoration and protection of the

82 ecosystem and habitat of Long Island Sound, and (C) designed to  
83 reduce hypoxia, pathogens, toxic contaminants and floatable debris in  
84 Long Island Sound.

85 Sec. 3. Subsection (e) of section 29-269 of the general statutes is  
86 repealed and the following is substituted in lieu thereof (*Effective July*  
87 *1, 2013*):

88 (e) Notwithstanding the provisions of subsection (b) of this section,  
89 a variation or exemption from the State Building Code shall not be  
90 required to construct a visitable feature in a residential home. For  
91 purposes of this section, "visitable feature" means (1) interior doorways  
92 that provide a minimum thirty-two inch wide unobstructed opening,  
93 (2) an accessible means of egress, as defined in Appendix A to 28 CFR  
94 Part 36, including a ramp allowing access by a wheelchair, or (3) a full  
95 or half bathroom on the first floor that is compliant with the provisions  
96 of the Americans with Disabilities Act of 1990, as amended, 42 USC  
97 12101.

98 Sec. 4. Subsection (a) of section 17b-451 of the general statutes is  
99 repealed and the following is substituted in lieu thereof (*Effective July*  
100 *1, 2013*):

101 (a) Any physician or surgeon licensed under the provisions of  
102 chapter 370, any resident physician or intern in any hospital in this  
103 state, whether or not so licensed, any registered nurse, any nursing  
104 home administrator, nurse's aide or orderly in a nursing home facility,  
105 any person paid for caring for a patient in a nursing home facility, any  
106 staff person employed by a nursing home facility, any patients'  
107 advocate, [and] any licensed practical nurse, medical examiner,  
108 dentist, optometrist, chiropractor, podiatrist, social worker, clergyman,  
109 police officer, pharmacist, psychologist or physical therapist, and any  
110 person paid for caring for an elderly person by any institution,  
111 organization, agency or facility. Such persons shall include but not be  
112 limited to, an employee of a community-based services provider,  
113 senior center, home care agency, homemaker and companion agency,

114 adult day care center, village-model community and congregate  
115 housing facility, who has reasonable cause to suspect or believe that  
116 any elderly person has been abused, neglected, exploited or  
117 abandoned, or is in a condition which is the result of such abuse,  
118 neglect, exploitation or abandonment, or is in need of protective  
119 services, shall, not later than seventy-two hours after such suspicion or  
120 belief arose, report such information or cause a report to be made in  
121 any reasonable manner to the Commissioner of Social Services or to  
122 the person or persons designated by the commissioner to receive such  
123 reports. Any person required to report under the provisions of this  
124 section who fails to make such report within the prescribed time  
125 period shall be fined not more than five hundred dollars, except that, if  
126 such person intentionally fails to make such report within the  
127 prescribed time period, such person shall be guilty of a class C  
128 misdemeanor for the first offense and a class A misdemeanor for any  
129 subsequent offense. Any institution, organization, agency or facility  
130 employing individuals to care for persons sixty years of age or older  
131 shall provide mandatory training on detecting potential abuse and  
132 neglect of such persons and inform such employees of their obligations  
133 under this section.

134       Sec. 5. (NEW) (*Effective July 1, 2013*) (a) The Commissioner of Social  
135 Services, in consultation with the Chief State's Attorney, the Attorney  
136 General and the Long-Term Care Ombudsman, shall establish a  
137 uniform recording system for complaints involving abuse or neglect of  
138 elderly persons. The system shall include uniform definitions for the  
139 categories of (1) physical abuse, (2) mental abuse, (3) self-neglect, (4)  
140 neglect by others, and (5) financial exploitation.

141       (b) The Commissioner of Social Services, the Chief State's Attorney,  
142 the Attorney General and the Long-Term Care Ombudsman shall  
143 establish a database to record complaints each receives in the  
144 categories defined pursuant to subsection (a) of this section. Such  
145 database shall identify the office where each such complaint was filed  
146 and disposition of each such complaint, including referrals to other

147 offices.

148 (c) The Commissioner of Social Services, the Chief State's Attorney,  
 149 the Attorney General and the Long-Term Care Ombudsman shall  
 150 share identifying information about victims of abuse or neglect only to  
 151 the extent necessary to ensure that complaints are not duplicated in the  
 152 uniform recording system established pursuant to subsection (a) of this  
 153 section. Information concerning the identity of victims shall be  
 154 disseminated in accordance with the provisions of section 17b-407 of  
 155 the general statutes.

156 (d) The database established pursuant to subsection (b) of this  
 157 section shall be maintained by the division of the Department of Social  
 158 Services responsible for protective services for elderly persons.

159 (e) Not later than July 1, 2014, and annually thereafter, the  
 160 Commissioner of Social Services, or the commissioner's designee, in  
 161 accordance with the provisions of section 11-4a of the general statutes,  
 162 shall submit a report to the joint standing committees of the General  
 163 Assembly having cognizance of matters relating to aging, human  
 164 services and public health, detailing: (1) The number of complaints  
 165 received in the previous calendar year and recorded in the shared  
 166 database pursuant to subsection (b) of this section in the categories  
 167 defined pursuant to subsection (a) of this section, (2) the disposition of  
 168 complaints, and (3) whether and by how much complaints per  
 169 category have increased or decreased from the previous year.

170 Sec. 6. (NEW) (*Effective July 1, 2013*) The Department of Consumer  
 171 Protection, in collaboration with the Department of Social Services and  
 172 the Department on Aging, shall conduct a public awareness campaign,  
 173 within available funding, to educate elderly consumers and caregivers  
 174 on ways to resist aggressive marketing tactics and scams."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	17b-105d

Sec. 2	<i>July 1, 2013</i>	8-23(e)
Sec. 3	<i>July 1, 2013</i>	29-269(e)
Sec. 4	<i>July 1, 2013</i>	17b-451(a)
Sec. 5	<i>July 1, 2013</i>	New section
Sec. 6	<i>July 1, 2013</i>	New section